## INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT



We Protect Hoosiers and Our Environment.

Mitchell E. Daniels, Jr. Governor

Thomas W. Easterly
Commissioner

100 North Senate Avenue Indianapolis, Indiana 46204 (317) 232-8603 Toll Free (800) 451-6027 www.idem.IN.gov

May 14, 2010

Mr. R. Scott Liggett Superior Environmental Remediation<sup>90</sup>, Inc. 2101 Lincolnway East Mishawaka, IN 46544

Dear Mr. Liggett:

Re: NPDES Permit No. ING080200

Hop-N-Stop Mini Mart

Valparaiso, IN, Porter County

This agency has reviewed your request of March 18, 2010, for voidance of the above-referenced permit. Due to the fact that all groundwater remediation activities are complete, a NPDES permit is no longer required.

Therefore, National Pollutant Discharge Elimination System Permit No. ING080200 issued May 1, 2009 is hereby revoked effective 18 days from the mailing date of this letter.

Any party adversely affected or aggrieved by this decision may appeal by filing a petition for administrative review with the Office of Environmental Adjudication (OEA) within eighteen (18) days after the date of mailing of this letter. Any appeal request must be filed in accordance with IC 4-21.5-3-7 and must include facts demonstrating that the party requesting appeal is the applicant, a person aggrieved or adversely affected by this voidance or otherwise entitled to review by law. Pursuant to IC 13-15-7-3, this decision shall remain in effect pending a decision on any appeal that has been timely requested under the provisions of IC 4-21.5. The address is:

Office of Environmental Adjudication Indiana Government Center North 100 North Senate Avenue, Room 501 Indianapolis, IN 46204

You are reminded that any future discharge to waters of the state must be preceded by the submission of an NPDES application at least 180 days prior to the commencement of such discharge.

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If you have any questions regarding this matter, please contact Mr. Joe Gwinn at 317/233-8769.

Sincerely,

Paul Higginbotham, Chief

Permits Branch

Office of Water Quality

cc: Porter County Health Department

# STATE OF INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

### PUBLIC NOTICE NO. 2010 - 5D -GP

DATE OF NOTICE: May 14, 2010

The Office of Water Quality issues the following NPDES GENERAL PERMIT.

#### **TERMINATION**

HOP –N-STOP MINI MART, Permit No. ING080200, PORTER COUNTY, Valparaiso, IN. This permit is being terminated because there is no longer a discharge. Permit Writer: Joe Gwinn at 317/233-8769.

#### PROCEDURES TO APPEAL

General Permit documents are available for inspection at IDEM, Office of Water Quality/Permit Section, IGCN, 100 N Senate Ave, Indianapolis, IN, Room 1203, from 9 - 4, Monday-Friday (copies 10¢ per page). The General Permit is also available at the local Health Department. Please tell others you think would be interested in this matter.

Appeal Procedure: Any person affected by the issuance of the Final Permit may appeal by filing a Petition for Administrative Review with the Office of Environmental Adjudication <u>within</u> eighteen (18) days of the date of this Public Notice. Any appeal request must be filed in accordance with IC 4-21.5-3-7 and must include facts demonstrating that the party requesting appeal is the applicant; a person aggrieved or adversely affected or is otherwise entitled to review by law.

**Timely filing:** The Petition for Administrative Review must be received by the Office of Environmental Adjudication (OEA) <u>within</u> 18 days of the date of this Public Notice; either by U.S. Mail postmark or by private carrier with dated receipt. This Petition for Administrative Review represents a request for an Adjudicatory Hearing, therefore must:

- > state the name and address of the person making the request;
- > identify the interest of the person making the request;
- > identify any persons represented by the person making the request;
- > state specifically the reasons for the request;
- > state specifically the issues proposed for consideration at the hearing:
- identify the Final Permit Rule terms and conditions which, in the judgment of the person making the request, would be appropriate to satisfy the requirements of the law governing this NPDES Permit rule.

If the person filing the Petition for Administrative Review desires any part of the NPDES Final Permit Rule to be stayed pending the outcome of the appeal, a Petition for Stay must be included in the appeal request, identifying those parts to be stayed. Both Petitions shall be mailed or delivered to the address here: Phone: 317/232-8591.

Environmental Law Judge
Office of Environmental Adjudication
IGC – North Building- Rm 501
100 N. Senate Avenue
Indianapolis IN 46204

Stay Time frame: If the Petition (s) is filed <u>within</u> eighteen (18) days of the mailing of this Public Notice, the effective date of any part of the permit, within the scope of the Petition for Stay is suspended for fifteen (15) days. The Permit will become effective again upon expiration of the fifteen (15) days, unless or until an Environmental Law Judge stays the permit action in whole or in part.

**Hearing Notification:** Pursuant to Indiana Code, when a written request is submitted, the OEA will provide the petitioner or any person wanting notification, with the Notice of pre-hearing conferences, preliminary hearings, hearing stays or orders disposing of the Petition for Administrative Review. Petition for Administrative Review must be filed in compliance with the procedures and time frames outlined above. Procedural or scheduling questions should be directed to the OEA at the phone listed above.

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# SUPERIOR ENVIRONMENTAL REMEDIATION 90, INC.

2101 Lincolnway East, Mishawaka, IN 46544-3109 (574) 256-1490, Fax (574) 256-1491 www.ser90.com

March 18, 2010

Indiana Department of Environmental Management Office of Water Quality 100 Senate Ave. Indianapolis, IN 46206

Re: Withdrawal of NPDES Permit ING080200

To Whom It May Concern:

Please be advised at this time that we request to have the NPDES Permit be withdrawn and deactivated for the following facility.

> Superior Environmental Remediation<sup>90</sup>, Inc. Remediation Site 526 West US30 Valparaiso, IN 46385 NPDES Permit No.: ING080200 -Issued: May 1, 2009

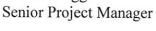
This remediation project has been completed according to established IDEM cleanup standards and the facility was deactivated and removed with IDEM LUST approval. OF-001 was permanently sealed.

Please advise me should you have questions or comments on this matter.

Sincerely.

Superior Environmental Remediation 10, Inc.

R. Scott Liggett









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